

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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RICK WILLIAMS and VANCE WILLIAMS,

Plaintiffs,

ORDER

- against -

07 CV 4120 (SLT)

THE CITY OF NEW YORK, POLICE OFFICER
DANIEL ISOGNA, POLICE OFFICER WILLIAM
DEAN, SERGEANT ASHBY, and POLICE
OFFICERS JOHN/JANE DOES # 1-5,

Defendants.

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On February 20, 2009, plaintiffs submitted a letter informing the Court of the eight outstanding disciplinary files for the officer defendants that are still in dispute and requesting that the Court Order defendants to produce all eight files. Defendants responded the same day, arguing that they should not have to produce any of the eight disciplinary files.


Having reviewed the letters, the Court hereby finds that the following disciplinary files are discoverable: (1) the two Civilian Complaint Review Board ("CCRB") files, (2) the two Internal Affairs Bureau ("IAB") files, and (3) the two New York City Police Department Central Personnel Index ("CPI") files that relate to a license not being returned after a complainant was stopped and the Ten Month Evaluation of Officer Insogna in which he received low performance reviews. The Court is not persuaded by defendants' arguments that these files are not relevant to the allegations at issue in this case. Accordingly, the Court hereby ORDERS defendants to produce these six files to plaintiffs.

However, the Court finds that it does not appear that the production of the following two disciplinary files may lead to the discovery of admissible evidence: (1) the CPI file relating to

missing property from a motorist and failure to take police action, and (2) the CPI file relating to missing property from a prisoner and failure to take a report. These two sets of allegations, both of which are against Officer Ashby, are dissimilar and irrelevant to the allegations against Officer Ashby in this case. Accordingly, the Court hereby ORDERS that defendants need not produce these two files to plaintiffs.

SO ORDERED.

Dated: Brooklyn, New York
February 27, 2009



Cheryl L. Pollak
United States Magistrate Judge
Eastern District of New York